

WEEK'S DELAY FOR MOLINEUX

Assistant District-Attorney
Osborne Says He Will
Not Call Prisoner's Wife
as Witness.

IT IS NOT NECESSARY.

Continued illness of Justice Bar-
nett Makes Necessary the
Postponement of the Case
Until Next Monday.

Assistant District-Attorney Osborne
announced to-day that he had no in-
tention of calling Mrs. Molineux as a wit-
ness for the prosecution at the second
trial of her husband, Roland B. Mol-
ineux, which is to begin next Monday.

There was a report that Mrs. Mol-
ineux would be called to prove that her
husband had in his possession robin's-
egg blue writing paper such as that
which figures in the case.

"I have absolutely no intention of
calling Mrs. Molineux," Mr. Osborne
said. "I can prove the case without
calling upon any member of the Mol-
ineux family. I don't know that Mrs.
Molineux ever knew of the existence of
the paper—that is, I have no proof. If
Mr. Weeks said that she did that would
be a different story. Then I suppose I
might call on her. It is safe to say that
no one of the prisoner's family will be
called by me."

This statement was made after there
had been an unsuccessful attempt to
go on with the trial as had been planned.
Justice Barrett, who had been assigned
to preside, was indisposed, and no other
justice could be secured, although Chief
Justice Van Brunt tried until noon to
arrange it.

Justice Lusk appeared in the Crimi-
nal Courts Building at noon and took
charge of the Molineux trial. He an-
nounced that in view of the indisposi-
tion of Justice Barrett he thought it
best to take a postponement until next
Monday. Mr. Barrett was weeks for the
prisoner wanted Justice Lusk to hear
arguments on the calling of a special
jury panel, but the court said he would
leave that to the judge regularly as-
signed to preside.

ONCE RICH, HAS
ONLY \$75 NOW.

After years of prosperity, Sampson P.
Oulton, one of the best known con-
tractors and builders of Brooklyn, has
been compelled to go to work as a
carpenter in order to earn a living.

Mr. Oulton, thirty years has been re-
garded as one of the wealthiest men
in Brooklyn. He built more than 250
houses at a cost of more than \$3,000,000
in South Brooklyn.

His friends all believed he was in
easy circumstances until to-day, when he
filed a petition in bankruptcy, show-
ing that he was one hundred or more
claims, aggregating \$375,000, and had
only \$75 with which to pay them.

The claims are practically all secured
by mortgages and liens on houses built
and owned by Mr. Oulton.

After filing his petition Mr. Oulton an-
nounced that he had not a dollar in the
world and that in order to support
himself and his family he would be-
come a journeyman carpenter.

Mr. Oulton is past sixty years of age
and much sympathy is expressed for
him by his friends.

ZOLA FUNERAL
CAUSES DUEL.

Dreyfus's Presence at Bier
Leads to Exchange of Per-
sonalities and Wounding of
One Principal.

ENGLISH POLICE HOLD UP GATES.

Millionaire and Military Guests Twice Arrested
While Speeding in Fast Lipton Autos.

LONDON, Oct. 6.—Gen. Corbin, Gen.
Young and John W. Gates have had an
unpleasant experience of the rigor of
English motoring laws. Both on Satur-
day and Sunday they were driving a car
which was stopped by the police, who
summoned the Americans for exceed-
ing twelve miles an hour.

The car, in each instance, was a fast,
new vehicle, just purchased by Sir
Thomas Lipton, who had lent it to Mr.
Gates to show the generals around the
country. On Saturday the party was
driving through Windsor when a police-
man arrested the chauffeur and took
the names and addresses of Mr. Gates
and Gen. Young, who were the occu-
pants of the car, and Sunday the same
party, with Gen. Corbin, was nearing

Brighton when a policeman stepped out
of a hedge and stopped the car. When
the summonses are called up no de-
fense will be made for, as one of the
Americans said, "The police have got
you at their mercy. You may be moral-
ly sure that you were not driving at
over the speed limit, but that is inef-
fective against the police with their
stop-watches."

Sir Thomas Lipton told a representa-
tive of the Associated Press that as he
was not present he could not say any-
thing regarding the merits of the case.
He was rather amused at the American
Generals so quickly joining the cate-
gory of over-zealous motorists who
had fallen foul of the police, and among
whom are many distinguished persons,
including Premier Balfour.

WIFE TOO COLD,
FENN'S CHARGE.

Husband in Application
for Divorce Says That
Pretty Defendant Has
Turned Against Him.

WARM ENOUGH IN COURT

In asking for a divorce from his
beautiful wife, Emory W. Fenn, son of
the late Supreme Court Justice Fenn,
of Connecticut, said she was too cold.
In court to-day she made a scene that
showed her to be exactly the contrary
of the description given by the husband.
Mr. Fenn said in his affidavit:
"She has turned so absolutely cold
toward me in the last six or seven years
that it is impossible by words or lan-
guage to describe to the court this
woman's disposition."

"She is tampering, and would drive
a man to desperation by her coldness,"
Justice Gildersteeve heard arguments
to-day on Mrs. Fenn's application for
alimony pending the trial of the hus-
band's suit. He reserved decision.

Mrs. Fenn was in court with Jessie
Gregory, and during the argument of
David M. Neuberger, who appeared for
the husband, she created a scene. She
arose from her seat in the rear of the
court-room, attempted to get inside the
railing where Mr. Neuberger was scor-
ing her unmercifully, and was finally
restrained by her companion. A few
moments later she bounced up from
her seat and left the court-room in a
violent passion.

Made Scene in Court.

Mrs. Fenn is an exceptionally beau-
tiful woman of the Spanish type. She is
rather tall, with dark olive complexion
and big lustrous black eyes. She was
married in the height of fashion. Her
husband was a Cuban patriot, before her
marriage she was a well known actress.
The couple were in court as the result
of the habeas corpus proceedings brought
by Fenn to secure possession of the little one.

Counsel for Mrs. Fenn in making the
motion for counsel fees and alimony,
declared that Fenn had deserted his
harmless wife four years ago and since
that time he has not contributed to her
support. She asserts that her husband
was to Cuba and fought in the Cuban
Army without her knowledge and con-
sent.

It was after the close of the Span-
ish-American War and when he returned
to this country that Fenn learned of his
wife's alleged improper conduct while he
was in Cuba. Fenn was captured during
the Cuban war and was imprisoned in
a Spanish fort for some time.

She is Only Eighteen and Ex-
plains She Must Have De-
cided Before Monday to Go
on Road with Anna Held.

Mrs. Mae Watson, a pretty actress,
not yet eighteen years old, wants a di-
vorce before next Monday so that she
can go on the road with Anna Held's
company.

She lives with her mother, Mrs. Mar-
garet Havron, at No. 13 Flatbush ave-
nue, Brooklyn. Because she is not yet
eighteen years old her mother was ap-
pointed her guardian by Justice Mad-
dox in the Supreme Court to-day.

"Judge, I've just got to get my divorce
before Monday," said Mrs. Watson.

PIPER TAKES THURSTON JOB

Retired Army Captain Is
Named by Partridge as
Second Deputy Police
Commissioner.

PROMOTION FOR EBSTEIN.

New Official Who Has a Good
Army Record, Says His Policy
Will Be That of His Chief—
Duty in Manhattan and Bronx

Capt. Alexander Ross Piper, U. S. A.,
retired, was to-day sworn in as Second
Deputy Police Commissioner and as-
signed to duty in Manhattan and the
Bronx.

He has been employed recently as
Superintendent of Final Disposition in
the Street Cleaning Department. Until
February, 1899, he was in the regular
army. He saw service during the Span-
ish-American war in Porto Rico.

Capt. Piper is a military-looking man
with but one arm. He lost his right
arm in 1897 in an accident at Fort
Bayard, N. M., but it did not prevent
him from serving his country until
there was no need for his services.

His appointment was announced to-
day after Commissioner Partridge,
Deputy Commissioner Ebstein and
Capt. Piper had been in conference an
hour at Police Headquarters. Then
Col. Partridge simply said that he had
promoted Major Ebstein and put Capt.
Piper in his place.

The new appointee was asked at
once what his policy would be.

Policy That of His Chief.

"That of my chief, first, last and
all the time," he replied briefly, and
that was all he would say.

Capt. Piper was born in Staten Island
thirty-eight years ago. He was a
graduate from West Point in 1880 and
was assigned as a Second Lieutenant
to the Eighth Infantry. Later he was
transferred to the Second. In 1896 he
was promoted to First Lieutenant in
the Fifteenth Infantry.

During the war with Spain his regi-
ment was held back to guard the Apache
Reservation, where the Indians were
threatening trouble. Capt. Piper got a
volunteer commission as Commissary
Captain. He was assigned to the Second
Brigade of Gen. Brooke's Division, whose
headquarters were at Guayama, Porto
Rico. During Gen. Miles's short cam-
paign in that island, a Second Lieuten-
ant was sent to Ponce, where he
was Chief Commissary. He returned to
the United States in February, 1899,
when he was promoted to a captaincy
and was retired.

How He Lost an Arm.

He lost his arm in a peculiar way.
He was walking along a cliff with a
gun on his arm. He tripped and fell
throwing the gun as he did so. The
gun struck a ledge of rock, was dis-
charged, and his right arm was so shat-
tered that it had to be amputated.

Capt. Piper is married and has four
children. He lives at Eighty-fifth
street and Third avenue, Fort Hamil-
ton.

His appointment is believed to have
the approval of Mayor Low. In one
of his weekly talks last August the
Mayor commented favorably on Capt.
Piper's work in the Street Cleaning
Department, to which he was appointed
at a salary of \$2,000 a year last April
after a competitive Civil Service ex-
amination. Mayor Low said that his
efficiency had contributed largely to
the saving of thousands of dollars in
the disposition of the city's waste, and
in the next paragraph of his talk he
regretted that the Commissioner of
Police did not have the same free
hand in changing his subordinates as
the Street Cleaning Commissioner.

Now that Capt. Piper has taken the
Department of the Mayor is doubtless
happy.

After the resignation of Col. Thurston
it was asserted that it was due to a
complaint made by District-Attorney
Jerome. Mr. Jerome to-day denied the
story.

"There is not a word of truth in it,"
he said. "I don't know anything about
or against Col. Thurston. I really never
had any dealings with him. All my
work has been done at Police Head-
quarters has been done through the
Commissioner. Col. Thurston tried
a number of cases that were conducted
against policemen by my office and I
think that in every instance he broke
the men who were on trial."

Partridge Sees Mayor Low.

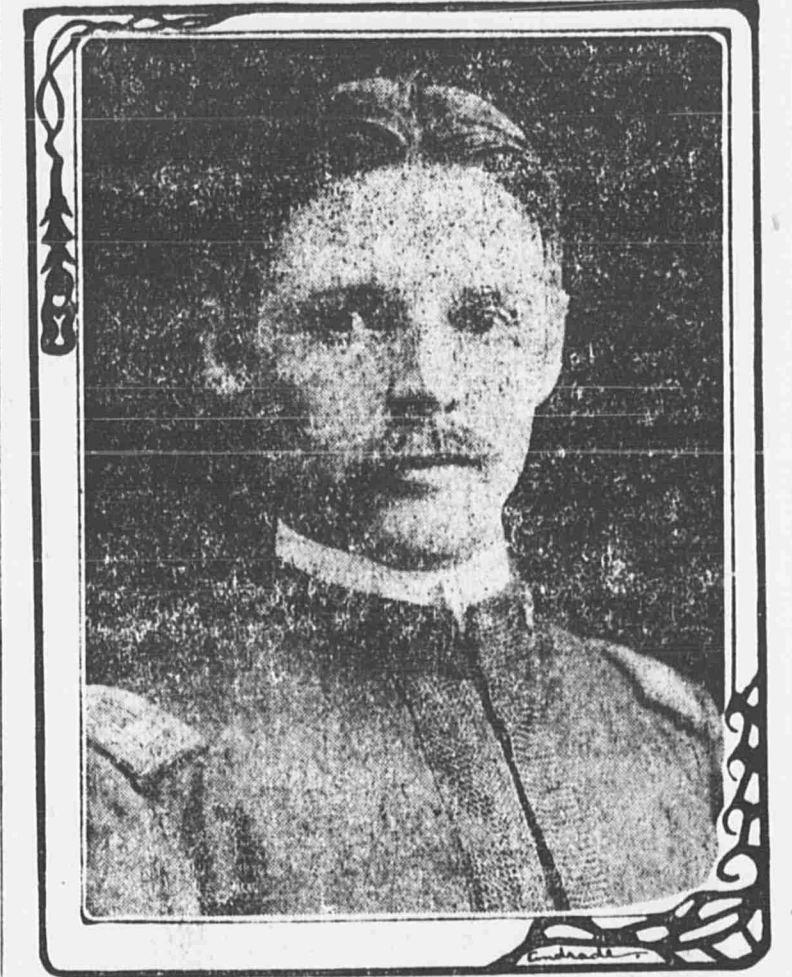
Police Commissioner Partridge had a
talk with Mayor Low at the City Hall
early to-day. No statement was made
by the Mayor regarding the promotion
of Capt. Piper. Both agreed that
the Mayor's office was followed by a
few minutes later at the session of
the Board of Estimate and Appor-
tionment. Commissioner Partridge seated
himself in the "pleaders' row." He
said he was present to urge an ap-
propriate salary for the police depart-
ment.

Mayor Low said: "I have nothing to
say on the matter of Col. Thurston's
resignation."

"Will you make a statement later?"
"No, not now," he said. "I don't be-
lieve that it is necessary to say any-
thing further on that matter."

Thurston Restored to Militia.

CAPT. A. R. PIPER, NEW AIDE TO POLICE CHIEF.



BURGLAR BEATS DOWN A WOMAN.

She Pluckily Fights
Until Felled by Heavy
Blow of the Ruffian's
Fist.

LOSES CONSCIOUSNESS.

Mrs. Margaret Maher had a lively time
with a burglar in her apartments at No.
410 Grove street, Jersey City, early to-
day. Hearing a noise in her kitchen she
got out of bed and went to see what
the trouble was. She found a strange
man standing near a window.

She asked him what he wanted. He
told her to keep quiet or he would kill
her. Believing this to be a simple threat
she rushed over, seized him and showed
for help. He put his hand over her
mouth and caught her by the throat.
A fierce struggle followed.

Striking the woman a heavy blow on
the head that felled her and caused her
to lose consciousness, the man fled
down a fire-escape. Mrs. Maher was
found by her husband.

A man who was found sitting on the
steps in front of Mrs. Maher's home
was thought to be the burglar and was
arrested. Mrs. Maher said he was not
the man she encountered in the kitchen.
But Judge Hook, in the First Criminal
Court, held the prisoner because he said
he was in company with a man who
went into the house, saying he lived
there. Morgan says he don't know the
name of the other man. The police
think he does.

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PRESIDENT'S ENVOY GOES TO CONFER WITH MITCHELL.

Immigration Commissioner Sargent Leaves
for Philadelphia, Where, It Is Believed,
Strike Leader Awaits Him to Discuss New
Plan to End the Coal Trouble.

Gas Companies Sound New Note of Alarm—
In Brooklyn the Supply for Cooking Has
Been Cut Off—Outlook for Continuance
of Supply in This City Is Desperate.

(Special to The Evening World.)
WASHINGTON, Oct. 6.—Immigration Commissioner Sargent left Washington this afternoon.

It is believed here that he will meet President Mitchell in Philadelphia to-night or to-morrow and will lay before him the President's hope that the miners may see their way clear to end the strike by returning to work pending settlement of differences. Mitchell left Wilkesbarre to-day and is believed to have gone to Philadelphia.

It was intimated to-day that the President would make a direct appeal to John Mitchell, President of the United Mine Workers, to stop the strike and go to work in the mines, trusting to the powerful influence of his friend in Congress, or the Pennsylvania Legislature, to get legislation enacted that will redress the grievance of the miners.

It is understood here that Mitchell will not be averse to receiving such a plea, but thinks the President should take the initiative.

"If he wants the President to start," said a Cabinet member this morning, "he won't have to wait long."

What the President wants is that Mitchell will consider the straits of the people from a broad, humanitarian view-point and get his men to go back to the mines regardless of the position of the operators.

He has put it very strongly to Mitchell that this is an opportunity to get the entire popular sympathy with the miners and their cause and create an irresistible sentiment in favor of legislation to compel the payment of suitable wages and to do away with the other causes of the strike.

President Roosevelt and Secretary Shaw held an hour's conference on the coal strike to-day.

After the Secretary left other members of the Cabinet were sent for.

It was said the main point in the discussion was the President's sugges-
tion to have the miners declare the strike off.

MITCHELL LEAVES FOR WASHINGTON.

WILKESBARRE, Pa., Oct. 6.—President Mitchell left Wilkesbarre very mysteriously to-day.

At the headquarters of the United Mine Workers no information can be had as to his whereabouts. It is presumed that he went to Washington.

PHILADELPHIA, Oct. 6.—The belief prevails in railroad and coal circles that the departure of President Mitchell from Wilkesbarre foreshadows an important development in the coal strike situation.

It was rumored that the gentleman with whom Mr. Mitchell conferred in this city last Monday was Martin Maloney, a close friend and business associate of P. A. B. Widener, and that Mitchell stopped over here to-day on his way to Washington for the purpose of seeing Mr. Maloney.

It is said here that Mitchell will be assured of Congressional action and also of pressure in the Pennsylvania Legislature if he orders the men back to work.

COOKING MAY STOP
AT THE WHITE HOUSE.

(Special to The Evening World.)
WASHINGTON, Oct. 6.—The Washington Gaslight Company has notified its consumers that unless the coal strike is broken before Nov. 1 the use of gas must be curtailed.

The company is prevented by law from raising its price, and the notices sent out say that the cost of coal has so greatly increased that gas can no longer be produced at a profit.

The company's notices say an effort will be made to continue furnishing gas for illuminating purposes, but that after Nov. 1 it cannot permit the use of gas for cooking purposes. In order to prevent its use for cooking the company threatens to cut off the supply in residential sections from 8 o'clock in the morning until 5 o'clock in the afternoon.

This would cut off all chance of cooking in the White House, the residence of the President of the United States.

NO GAS FOR COOKING
THE LATEST CONDITION.

At last the gas companies have begun to feel the pinch in the coal supply and to-day for the first time they sound a note of alarm which will affect the thousands of homes where gas is used for cooking.

Already the gas plants are working to their full capacity with the amount of coal that can be secured and the consumption is increasing at an alarming rate.

Twice as many gas stoves are in use to-day as were in use when the strike was declared, and thousands of stoves are being installed every twenty-four hours.

Men are working day and night making connections, the pressure is growing lighter and there is a prospect of the entire shutting off of the